

REMARKS

Claims 1-16 remain pending. The title has been amended to overcome the Examiner's objection on page 2 of the Office Action.

Initially, applicant thanks the Examiner for indicating that claims 7-8, 10, and 14 contain allowable subject matter.

In the Office Action, claims 1-3, 9, 11, 13, and 15 were rejected under 35 USC 102(b) as anticipated by Okuda (JP09-329982A). Claims 1-5, 9, 11-13, and 15-16 were rejected under 35 USC 102(b) as anticipated by Tagashira (JP07-142148A). Applicants respectfully traverse the rejections.

Applicants initially note that, according to MPEP section 706.02 II (see p. 700-22 of the Eighth Edition, Revision 3, August 2005), when an English-language abstract of a foreign language reference is used to support a rejection, "citation of and reliance upon an abstract without citation of and reliance upon the underlying scientific document is generally inappropriate when both the abstract and the underlying document are prior art." Section 706.02 II further states that when the underlying scientific document is relied upon and is in a language other than English, a translation must be obtained so that the record is clear as to the precise facts the examiner is relying on.

In the pending rejection, the Examiner relies on only the abstract and drawings of Okuda and Tagashira. This reliance is improper in light of the above established procedures set forth in the MPEP.

To anticipate a claim, the reference must teach every element of the claim. MPEP 2131. Claims 1, 9, and 13 recite a circuit board that can be mounted to a power supply unit using at least two different orientations. The current path can be changed depending on the orientation of the circuit board mounting. The claimed mounting "orientations" are illustrated in Figures 6 and 7, and discussed in paragraphs [0062] – [0072]. Applicant's disclosure makes clear that the claimed mounting orientation refers to the position of the circuit board, rather than alternate electrical

connections running to a number of circuit boards. The Examiner asserts that both Okudo and Tagashira disclose a circuit board that can be mounted to a power supply unit using at least two different mounting orientations. The Examiner does not identify the circuit board or the power supply in either reference, and does not direct applicant to disclosure of the two mounting orientations. Applicants respectfully disagree with the Examiner's rejections. Neither reference teaches two different mounting orientations for a circuit board.

Okudo only teaches heaters 105a and 105b, having different resistance values (for 100V or 200V), provided in a heating body 110. Electrode 301 is employed when the resistance value of heater 105b is desired. Electrode 302 is employed when the resistance value of heater 105a is desired. Nowhere in this disclosure is there a teaching of two different mounting orientations for a single circuit board.

Tagashira teaches four independent heating elements 3a-3d having fixed resistance values. Each of the heating elements 3a-3d has a terminal 4b. The terminals 4b are connected in parallel by wires 8b connected to respective contacts 10a-10d of a selector 10. The selector 10 is connected to a contact 9b of a switch 9 that switches between 100V (heating elements connected in parallel) and 200V (heating elements connected in series). Nowhere in this disclosure is there a teaching of two different mounting orientations for a single circuit board.

Thus claims 1, 9, and 13 are not anticipated by either Okuda or Tagashira, and the rejections under section 102(b) must be withdrawn. Claims 2-8 depend from claim 1 and are therefore allowable for the same reason. Claims 10-12 depend from claim 9 and are therefore allowable for the same reason. Claims 14-16 depend from claim 13 and are therefore allowable for the same reason.

In view of the above, the pending claims are in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would

expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772032900.

Dated: November 13, 2006

Respectfully submitted,

By

Jill DeMello Hill

Registration No.: 42,477

MORRISON & FOERSTER LLP

1650 Tysons Blvd, Suite 300

McLean, Virginia 22102

(703) 760-7718